

REMARKS

The subject application has been thoroughly reviewed in light of the outstanding Office Action of August 8, 2003. Claims 1-6 are pending and have been amended. Claims 1, 3 and 5 are independent. Claim 7 has been canceled without prejudice and disclaimer of subject matter.

Claims 1-7 were rejected as being obvious over U.S. patent no. 5,119,924 (Kaminski) in view of U.S. patent no. 2, 439,520 (Miller). For the following reasons, applicant submits that the presently claimed invention is patentable over the cited prior art and the prior art of record.

Representative claim 5 is directed to a self-checkout system which includes a conveyor having a drive roller comprising a hollow cylinder for housing a motor and including a knurled surface, a return roller positioned at a second end of said conveyor, a tracking guide provided adjacent at least one end of at least one of said drive roller and said return roller and a conveyor belt. Independent claims 1 and 3 recite similar patentable features, with claims 1 and 3 additionally including side support rails and one or more motor mounts.

As understood by Applicants, Kaminski is directed to an article feeding apparatus, having a pair of space drums mounted on parallel axis and a one piece belt passing around the drums. The surface of the driven drum is textured to cooperate with the inner surface of the belt to prevent slippage. As also understood by Applicants, Miller appears to be directed to a driving mechanism for a transmission system applicable to a belt drive, where a rotor is housed within a drive, which drives a belt.

After a thorough review of both of these cited references, Applicants respectfully submit that the references, either alone or in combination, fail to teach or suggest (or disclose) each and every feature of the claimed invention. For example, neither reference discloses, teaches or suggests a self-checkout system or conveyor systems for such self-checkout

systems. Moreover, neither reference teaches or suggest a conveyor system having tracking guides (as recited in claims 1, 3 and 5), side support rails (as recited in claims 1 and 3) and/or one or more motor mounts. Since the cited prior art fails to disclose such features, Applicants respectfully submit that theses claims are patentable over this art.

Applicants also respectfully submit that the remainder prior art of record fails to meet the deficiencies of Kaminski and Miller. Accordingly, claims 1, 3 and 5 are therefore patentable over the prior art of record. Since dependent claims 2, 4 and 6 necessarily incorporate by reference all the features of their respective base independent claims (claims 1, 3 and 5, respectively), the dependent claims are also patentable for the same reasons as their respective base independent claims

CONCLUSION

In view of the foregoing remarks, Applicant submits that the issues raised in the Office Action of August 8, 2003 have all been addressed. Accordingly, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

It is believed that no additional fees are due, except for the fee for extending the time for response to the August 8, 2003 Action, are presently due. In the event that it is determined that any additional fees are due, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0311.

Appl. No. 10/077,610
Amdt. Dated Jan. 8, 2004
Reply to Office action of Aug. 8, 2003

Applicants undersigned attorney may be reached in our New York office by telephone at (212) 692-6803. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Brian P. Hopkins, Reg. No. 42,669
Attorney for Applicants
c/o Mintz Levin Cohn Ferris
Glovsky & Popeo, PC

Date: Jan. 8, 2004

Mintz Levin Cohn Ferris Glovsky & Popeo PC
The Chrysler Center
666 Third Avenue, 24TH Floor
New York, New York 10017
Tel. No.: (212) 935-3000
Fax No.: (212) 983-3115